United Nations A/51/PV.100

General Assembly

Fifty-first Session

Official Records

100th plenary meeting
Thursday, 22 May 1997, 3 p.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 3.25 p.m.

Agenda item 167 *(continued)*

Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons

Draft resolution (A/51/L.73)

The President: I call on the representative of the Netherlands to introduce draft resolution A/51/L.73.

Mr. Biegman (Netherlands): I have the pleasure of introducing a draft resolution on the relationship between the United Nations and the Organization for the Prohibition of Chemical Weapons (OPCW).

Yesterday I had the opportunity of stating the role and importance of OPCW with regard to the implementation of the aims and objectives of the Chemical Weapons Convention. I also stated the purpose of this procedural resolution, which is twofold: first, to invite the Secretary-General to take steps to conclude with the Director-General of OPCW an agreement between the United Nations and OPCW to regulate the relationship between the two organizations; and secondly, to authorize the Secretary-General to enter into a temporary arrangement with OPCW concerning the issuance of the United Nations laissez-passer to OPCW inspectors.

The wide support for this draft resolution is demonstrated by the fact that since yesterday, two new sponsors have been added to the list: Bosnia and Herzegovina and Côte d'Ivoire.

Some delegations have voiced the concern that this draft resolution would give the Secretary-General the mandate to conclude an agreement without having to refer back to the Member States. From our point of view, it goes without saying that the Secretary-General will have to submit the agreement to the General Assembly for its approval before it can enter into force. This is the meaning of the second part of operative paragraph 1, which stipulates that the agreement between the United Nations and OPCW would be applied provisionally. Only after the completion of procedures necessary for its entry into force could the agreement become definitive.

In the United Nations framework, this means that the General Assembly will have to approve the agreement after what I presume will be a substantial debate, and could even reject it. I might add that a similar procedure was followed in the case of the International Seabed Authority.

In order to make this explicitly clear, the following words are being added to the text at the very end of paragraph 1, after the words "entry into force":

> "and to present the negotiated draft relationship agreement to the General Assembly for its approval".

97-85604 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Mr. Zlenko (Ukraine): The delegation of Ukraine is a sponsor of draft resolution A/51/L.73, submitted by the Ambassador of the Netherlands. We would like to express our satisfaction with the entry into force, on 29 April 1997, of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC). Now we can definitely say that the long-standing efforts of the international community to free the world from this most anti-human type of weapon of mass destruction have gained real ground. The very fact of the ratification of the CWC by 97 States, and the fact that the total number of signatories has reached 165, provide convincing proof of this conclusion. We also note with satisfaction that the Convention has at last become a truly universal, legally binding document.

My delegation would like to congratulate all those delegations that gave so much of their effort, experience and time to achieve this noble goal and have facilitated the long-expected start to the implementation of this important Convention. In particular, we would like to welcome the ratification of the Convention by the United States, one of the two States that have officially announced their possession of chemical weapons. It gives us hope that another chemical Power will follow this good example in the near future.

Although Ukraine has not yet finished its domestic ratification procedure, and is therefore not a full member of the Organization for the Prohibition of Chemical Weapons (OPCW), I want to state very clearly that my country attaches great importance to the CWC and considers it a real basis for the elimination and non-proliferation of that whole class of weapons of mass destruction. Fulfilment of this noble task is consistent with the basic principles of the United Nations Charter.

Ukraine shares the general positive evaluation of the readiness of Member States to implement the CWC, as was stated in documents of the sixteenth session of the Preparatory Commission for the OPCW and in other documents. At the same time, we believe that a smooth start to implementation necessitates the establishment of an effective mechanism of coordination with the United Nations General Assembly and the Secretary-General for resolving important practical problems relating to OPCW activities.

All necessary provisions for establishing such a mechanism are contained in the Convention. In our view, of particular importance in this respect are paragraph 4 of Article XII and paragraph 27, section E, part XI of the Annex on Implementation and Verification, which deal with the cooperation of the OPCW and its States members with the United Nations Secretary-General, as well as with cooperation between OPCW and the General Assembly and the Security Council in settling disputes. The Convention also provides an opportunity to address the International Court of Justice.

I would also like to stress the importance of paragraph 10, section B, part II of the Verification annex, which deals with visas and access to sites of inspection by inspectors, supervisors and their assistants. Effective and free access of inspection teams to the territory of any State member of the OPCW is of crucial importance for the beginning of the implementation process. In this respect the Secretary-General has the technical ability to provide the OPCW inspectors with laissez-passers, on the understanding, however, that a proper agreement will be reached between the United Nations and the OPCW.

These issues are now under active discussion at the first session of the Conference of the States parties. It would be logical, however, for this forum to support the idea of such cooperation, as set forth in the draft resolution proposed by the delegation of the Netherlands, thereby making a valuable contribution to the implementation of the CWC. In this context, my delegation, as one of the sponsors of the draft resolution, would like to call upon all delegations to adopt it without a vote.

In conclusion, I would like to assure the Assembly that, despite all the economic difficulties that Ukraine is facing today, it will try to find the opportunity to make its contribution to the activities of the OPCW and will speed up the process of ratifying this Convention.

Mr. Valle (Brazil): First of all, I would like to thank the representative of the Netherlands for his kind words addressed yesterday to Ambassador José Maurício Bustani, recently elected Director-General of the Organization for the Prohibition of Chemical Weapons (OPCW). The Government of Brazil feels very honoured that a representative of our country was chosen to carry out such important functions. In this regard, we would like to thank States parties to the Convention for the support they have extended to Ambassador Bustani. We are confident that Ambassador Bustani's skills and dedication will help the Organization to achieve its lofty objectives.

Secondly, we would like to highlight the importance of the fact that a representative of our region has been charged with conducting OPCW's activities. This demonstrates not only the relevance of the chemical industry of the region but, above all, the commitment of its States to the goal of disarmament in general. In fact, we have repeatedly praised the Chemical Weapons Convention (CWC) as the only non-discriminatory, multilaterally negotiated, effectively verifiable instrument banning a whole category of weapons of mass destruction. The recent entry into force of the Convention and the subsequent establishment of the Organization for the Prohibition of Chemical Weapons constitute a major step towards the elimination of all weapons of mass destruction from the face of the planet.

Finally, I would like to convey, through you, Mr. President, our hope that the Organization may be fully operative as soon as possible. Its daily activities in guaranteeing the effective implementation of the Convention, as well as in ensuring expanded international cooperation in the chemical field for peaceful purposes, will definitely contribute to ensuring the credibility of the Convention itself, thus helping to increase the number of its States parties. I am aware that Ambassador Bustani has been putting in late hours with this objective in mind, but ultimately it will depend on the cooperation of all States parties to the CWC.

The President: We have heard the last speaker in the debate on this item. We shall now proceed to consider draft resolution A/51/L.73, as orally revised.

I shall now call on those representatives who wish to explain their positions before action is taken on the draft resolution. May I remind delegations that explanations of vote or position are limited to 10 minutes.

Mr. Abou-Hadid (Syrian Arab Republic) (*interpretation from Arabic*): My delegation is joining the consensus, but if the draft resolution entitled "Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons" had been put to the vote my delegation would have abstained.

We would have taken that regrettable position because of the haste with which this agenda item was added and the way in which we were asked to take a decision, which did not conform to the relevant rules of procedure of the General Assembly. Nonetheless, we thank the European Union, particularly the delegation of the Netherlands, and the sponsors of draft resolution A/51/L.73 for their understanding of our position.

It had been our hope that, in the context of any agreement or understanding between the United Nations and any disarmament body, reference would be made to the Treaty on the Non-Proliferation of Nuclear Weapons, which is of great importance to all the world's countries except Israel: the use of nuclear weapons would have the gravest consequences, as indeed does the failure to put an end to the use of nuclear weapons. This was affirmed in the relevant Advisory Opinion of the International Court of Justice.

We had hoped too for a comprehensive consideration of this matter that would focus as a priority on the elimination of all weapons of mass destruction, especially nuclear weapons. This would have avoided a selective approach. The inclusion of this item on the agenda of the fifty-first session ignored the recommendation of the various working groups entrusted with restructuring the United Nations to avoid selectivity and promote transparency in the work of the General Assembly. The working groups advised too against the inclusion of new items of this nature.

The President: We have heard the last speaker in explanation of vote before the voting. The Assembly will now take a decision on draft resolution A/51/L.73, as orally revised.

May I take it that the Assembly decides to adopt draft resolution A/51/L.73, as orally revised?

Draft resolution A/51/L.73, as orally revised, was adopted (resolution 51/230).

The President: Before calling on those representatives who wish to explain their positions on the resolution just adopted, I wish to remind delegations that such explanations are limited to 10 minutes.

Mr. Hamdan (Lebanon): I wish at the outset to say that my delegation was very pleased to hear that a national of Brazil had been chosen as Director-General of the Technical Secretariat of the new Organization for the Prohibition of Chemical Weapons. That this individual has deep Lebanese roots clearly reflects the fact that the Lebanese spirit has always stood against such weapons of mass destruction.

Nonetheless, my delegation has a number of reservations about the resolution the Assembly has just adopted.

(*Spoke in Arabic*)

The delegation of Lebanon is grateful to you, Mr. President, to the delegation of the Netherlands and to Member States in general for acceding to the request to postpone discussion of draft resolution A/51/L.73 until today.

The elimination of weapons of mass destruction is of crucial importance to the Government of Lebanon, and we earnestly hope that a zone free of weapons of mass destruction will be established in the Middle East. But the resolution just adopted deals with but one aspect of this issue and, in fact, does not take equitable account of the interests of all parties, which is a prerequisite for the elimination of weapons of mass destruction of all kinds, in particular nuclear weapons. It is also essential for all such weapons, including nuclear weapons, to be monitored by the international community through agreed-upon machinery.

It is our fear that Israel — which to date has stubbornly refused to submit its nuclear installations to the safeguards of the International Atomic Energy Agency — could interpret the adoption of resolution 51/230 as a sign of weakness on the part of the international community.

Lebanon refrained from blocking the consensus adoption of this resolution, but had there been a vote Lebanon would have abstained.

Mr. Dehghani (Islamic Republic of Iran): My delegation supported the revised draft resolution entitled "Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons" (A/51/L.73). I would, however, like to make a few remarks on this matter.

As clearly stated in the revised paragraph 1 of the resolution, the negotiated draft relationship agreement must be presented to the General Assembly for its approval for its entry into force. We consider that the term "approval" means consideration and adoption of the draft agreement by the General Assembly. Hence, in the course of discussion in the Assembly, the negotiated draft relationship agreement will be subject to amendments or other changes that could be proposed by members of the General Assembly.

The President: We have heard the last speaker in explanation of position. The General Assembly has thus concluded the present stage of its consideration of agenda item 167.

The meeting rose at 3.50 p.m.